



U.S. Department of Justice

Southern District of Indiana

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FOR IMMEDIATE RELEASE:

**SEYMOUR WOMAN CHARGED
WITH COPYRIGHT INFRINGEMENT**

PRESS RELEASE

Susan W. Brooks, United States Attorney for the Southern District of Indiana, announced that JULIA HENSLEY, 28, Seymour, Indiana was charged today with copyright infringement, following an investigation by the Indianapolis Sub-Office of the United States Department of Agriculture, OIG-Investigations and the Federal Bureau of Investigation.

The information alleges that from on or about October 1, 2003 and to on or about December 24, 2003, HENSLEY, a Geographic Information Systems Program Technician with the Farm Service Agency of the United States Department of Agriculture, reproduced and sold 41 infringing copies of software products made by Environmental Systems Research Institute, Inc. (ESRI) of Redlands, California on ebay.com and yahoo.com. Those products included ArcView 3.2a, and the program extensions Spatial Analyst, 3D Analyst, and ArcPress.

ESRI develops and markets geographic information systems software for desktop computers. The ESRI software system known as ArcView 3.2a is used to create maps and

perform analysis using data from various sources and provides the necessary tools for working with maps, aerial photography, database tables, charts, and graphics all at once. The ArcView software, as well as the ArcView extensions known as Spatial Analyst, 3D Analyst, Network Analyst, and ArcPress, are owned and copyrighted by ESRI and its third party licensors. ESRI staff routinely monitored Internet auction websites for illegal sales of its software.

The USDA purchased a Perpetual Software License from ESRI for GIS software products, including ArcView and the extensions, for internal use by USDA employees. The license was non-transferable and USDA employees were not permitted to duplicate, copy, or sell the software to other U.S. Government agencies or third parties outside of the USDA without the express written permission of ESRI.

It is alleged that HENSLEY brought to her residence the USDA's copies of the ArcView 3.2a, Spatial Analyst, 3D Analyst, and ArcPress without permission from ESRI or the USDA, and then made infringing copies of this software with the computer equipment in her home between on or about October 1, 2003 and on or about December 24, 2003. HENSLEY allegedly then placed advertisements for the sale of the infringing software through her account on ebay.com and yahoo.com. In total, it is alleged that HENSLEY sold 41 infringing copies of the software for approximately \$7,120 when the total retail price of this software is purchased from ESRI was over \$70,000.

According to Assistant United States Attorney Steven D. DeBrotta, who is prosecuting the case for the government, HENSLEY faces a maximum possible prison sentence of five years and a maximum possible fine of \$250,000. An initial hearing will be scheduled before a U.S. Magistrate Judge in New Albany, Indiana.

The information is an allegation only, and the defendant is presumed innocent unless and until proven guilty at trial or by guilty plea.

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